

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

Case No.: 3:08-CV-00102

FILED
CHARLOTTE, NC

APR 23 2008

U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

LIGNA ACQUISITION GROUP, LLC,

Plaintiff,

vs.

211 INVESTMENTS, LP; BRTC
INVESTMENTS, LP; GOLF CLUBS OF
AMERICA, LP; SFR 751 BRIGGS, LLC;
BRIGGS RANCH GRAND VACATION
CLUB, LP; HOLLY HILLS GP, LLC;
BRIGGS GP, LLC; and DANIEL L. BAILEY,
in his representative capacity as Trustee of the
Bailey Family Trust,

Defendants and Counterclaim
Plaintiffs.

211 INVESTMENTS, LP; BRTC
INVESTMENTS, LP; GOLF CLUBS OF
AMERICA, LP; BRIGGS RANCH GRAND
VACATION CLUB, LP; HOLLYHILLS GP,
LLC; BRIGGS GP, LLC; and DANIEL
BAILEY and MARLENE BAILEY, in their
representative capacity as Trustees of the
Bailey Family Trust,

Third Party Plaintiffs,

vs.

MARIO GUESS a/k/a JERRY DEMARIO
GUESS a/k/a J.D. GUESS a/k/a JERRY D.
GUESS, LIGNA ACQUISITION GROUP,
LLC, ESCROW FINANCIAL
CORPORATION, and THP ESCROW
SERVICES CORPORATION,

Third Party Defendants.

SUMMONS TO GARNISHEE
MARIO GUESS
a/k/a JERRY DEMARIO GUESS
a/k/a J.D. GUESS
a/k/a JERRY D. GUESS

MARIO GUESS a/k/a JERRY DEMARIO GUESS
a/k/a J.D. GUESS a/k/a JERRY D. GUESS
230 S. Tryon Street, Unit 1101
Charlotte, North Carolina 28202

TO THE GARNISHEE NAMED ABOVE:


At the request of 211 Investments, L.P., BRTC Investments, L.P., Golf Clubs of America, L.P., SFR 751 Briggs, LLC, Briggs Ranch Grand Vacation Club, L.P., HollyHills GP, LLC, Briggs GP, LLC and Daniel L. Bailey and Marlene Bailey, in their representative capacities as Trustees of the Bailey Family Trust ("Defendants"), you are summoned as a garnishee of Plaintiff Ligna Acquisition Group, LLC ("Ligna") and Third Party Defendant Mario Guess a/k/a Jerry Mario Guess a/k/a J.D. Guess a/k/a Jerry D. Guess ("Guess") and required, within twenty (20) days after you have been served with this Summons, to file a verified answer in the office of the Clerk of the United States District Court for the Western District of North Carolina, Charlotte Division showing whether:

1. At the time the Summons was served upon you, or at any time since then until the date of your answer, you were indebted to Ligna or Guess, or had any property of Ligna or Guess in your possession and, if so, the amount and nature thereof; and,

2. Whether, according to your knowledge, information or belief, any other person is indebted to Ligna or Guess, or has possession of any property of Ligna or Guess, and if so, the name of each person.

If you fail to file an answer, a conditional judgment will be rendered against you for the full amount Defendants have requested, plus an amount sufficient to cover Defendants' costs.

This the 23 day of April, 2008.



JUDGE/CLERK/ASSISTANT CLERK
United States District Court for the Western District
of North Carolina, Charlotte Division

DATED: 23 April 08